

Message Text

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14-11
ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 USSS-00 SY-05 CPR-01 FBIE-00

SAJ-01 PA-01 PRS-01 CIAE-00 INR-07 NSAE-00 A-01 L-02

H-02 PM-03 NSC-05 SP-02 SS-15 /069 W
----- 023130

R 142307Z MAY 75
FM USMISSION USUN NY
TO SECSTATE WASHDC 308
INFO AMEMBASSY MOSCOW
AMCONSUL LENINGRAD

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E.O. 11652: N/A
TAGS: PFOR, ASEC, US, UR
SUBJECT: SMUN TRAFFIC VIOLATIONS

REF: (A) USUN 534; (B) MOSCOW 6601

1. WE HAVE RECEIVED NOTE-VERBALE NO. 270 DATED MAY 8 FROM SMUN COMPLAINING ABOUT SUMMONS ISSUED TO CHAUFFEUR WAITING FOR MRS. MALIK ON CHARGE OF "FAILING TO COMPLY WITH OFFICER'S DIRECTIONS." TEXT OF NOTE IS AS FOLLOWS: "SMUN HAS REPEATEDLY DRAWN ATTENTION IN ITS NOTES TO NUMEROUS CASES OF DELIBERATE AND BASELESS ACTIONS OF INDIVIDUAL NEW YORK CITY POLICE OFFICERS IN AFFIXING COURT SUMMONSES (KNOWN AS TICKETS) ON CARS BELONGING TO SMUN HAVING DIPLOMATIC PLATES. IN PARTICULAR, IN ITS NOTE NO. 41 OF JANUARY 21, 1975, SMUN HAS ALREADY POINTED OUT INADMISSABILITY, FROM STANDPOINT OF GENERALLY ACCEPTED INTERNATIONAL PRACTISE AND NORMS OF INTERNATIONAL LAW, OF INSTANCE IN WHICH A "TICKET" FOR AN ALLEGED INFRACTION OF PARKING REGULATIONS WAS AFFIXED TO A SMUN CAR WHICH WAS STANDING NEAR MAIN ENTRANCE OF SMUN BUILDING IN WAITING FOR AMBASSADOR. DESPITE EXPRESSION OF REGRET OF USUN AND MRS. LOEB AND ASSURANCES THAT THIS

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KIND OF ACTION WOULD NOT BE PERMITTED (IN FUTURE) A

REPEATED INSTANCE OF ILLEGAL ACTIONS BY A NEW YORK CITY POLICE OFFICER OCCURRED ON MAY 7TH WITH REGARD TO A CAR BELONGING TO SMUN. AT 12:25 IN AFTERNOON ON THAT DAY, A POLICEMAN WALKED OVER TO A SMUN CAR PARKED ON 59TH STREET BETWEEN THIRD AND LEXINGTON AVENUES, AND GRUFFLY DEMANDED DRIVER'S LICENSE OF DRIVER WHO WAS IN CAR WAITING FOR WIFE OF SOVIET REPRESENTATIVE TO UN. AFTER THIS POLICEMAN, HAVING BEEN CONVINCED THAT CAR BELONGED TO SOVIET REPRESENTATIVE TO UN, ISSUED A "TICKET" TO THIS AUTOMOBILE. WHEN ONE OF A GROUP OF STRANGERS, WHO HAD OBSERVED THIS MEAN CONDUCT OF POLICEMAN, NOTICED THIS WAS DIPLOMATIC CAR, AND THAT DRIVER WAS IN IT AND THAT, THEREFORE, POLICEMAN SHOULD NOT GIVE THIS CAR A "TICKET", POLICEMAN ANSWERED: "THIS IS A RUSSIAN CAR, SO I WILL GIVE IT A TICKET."
"SMUN, IN DRAWING ATTENTION TO THIS UNWORTHY AND TOTALLY BASELESS CONDUCT AND ACTIONS OF A POLICE OFFICER, CANNOT BUT QUALIFY THESE ACTIONS AS A GROSS VIOLATION OF DIPLOMATIC PRIVILEGES AND IMMUNITIES AND FIRMLY DEMANDS THAT APPROPRIATE CLARIFICATION BE GIVEN BY COMPETENT AUTHORITIES TO POLICE AUTHORITIES CONCERNING BARRING IN FUTURE OF SUCH ILLEGAL ACTIONS WITH REGARD TO AUTOMOBILES WITH DIPLOMATIC LICENSE PLATES WHICH BELONG TO SMUN."
"TICKET NO. 495511155 IS ATTACHED."

2. STATEMENT READ BY SOVIET MFA OFFICIAL ANTIPOV (REF B) WAS UNDOUBTEDLY MADE AS A CONSEQUENCE OF INCIDENT REPORTED IN SOVIET NOTE. SUMMONS WAS ISSUED BY TRAFFIC OFFICER, NOT POLICE OFFICER. TRAFFIC OFFICER UNDOUBTEDLY REQUESTED SMUN CHAUFFEUR TO MOVE CAR WHICH WAS PARKED ON VERY BUSY STREET. WHEN DRIVER REFUSED TO DO SO, HE WAS GIVEN SUMMONS FOR DISOBEYING ORDER. WE ARE OBTAINING FULL REPORT ON INCIDENT FROM TRAFFIC DEPARTMENT.

3. AS DEPARTMENT AND EMB MOSCOW KNOW, CITY RECENTLY PROVIDED SOVIETS WITH THREE ADDITIONAL DPL PARKING SPACES, INCLUDING ONE RESERVED FOR AMBASSADOR MALIK'S CAR. WE HAD HOPED THAT SOVIETS WOULD ACKNOWLEDGE THIS FAVOR BY TAKING GREATER STEPS TO COMPLY WITH TRAFFIC LIMITED OFFICIAL USE

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REGULATIONS. THIS HAS NOT BEEN CASE. SOVIET MISSION CONTINUES TO LEAD ALL MISSIONS TO UN AS NO. 1 TRAFFIC OFFENDER. A VISIT ON MAY 14TH TO SMUN INDICATED CLEARLY THAT SOVIETS DID NOT APPEAR TO BE MAKING SLIGHTEST EFFORT COMPLY WITH TRAFFIC REGULATIONS. SOVIET CARS WERE PARKED IN VIOLATION OF TRAFFIC REGULATIONS ON THIRD AVENUE, LEXINGTON AVENUE, AND ON EAST 67TH STREET. UNLESS SOVIETS IMPROVE THEIR PARKING PRACTICES TO A

CONSIDERABLE EXTENT, WE WILL HAVE TO CONSIDER TAKING
NEW STEPS AGAINST THEM.
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